

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA

SENTRY SELECT INSURANCE COMPANY,

Plaintiff,

v.

Civil Action No. 3:06CV54
(JUDGE BAILEY)

SAMUEL D. COOK, III, and
MAY TRUCKING, LLC,

Defendants.

ORDER CONFIRMING PRONOUNCED ORDER OF THE COURT

After Defendants filed their Motion to Compel Discovery responses, Plaintiff filed the responses sought. Counsel for Defendants seeks reasonable expenses.

Counsel for Defendants shall file its affidavit of reasonable expenses on or before **October 17, 2007**.

Plaintiff and Plaintiff's counsel shall file any response by **October 24, 2007**.

Plaintiff and Plaintiff's counsel shall be given an opportunity to be heard at **10:00 a.m., Tuesday, October 30, 2007**, at the **Wheeling point of holding court, by telephone, (initiate one timely conference call to (304)233-1348, at the time of the scheduled proceeding**, why reasonable expenses should not be awarded against them jointly and severally.

Motion to Compel (Doc. No. 31) **DENIED AS MOOT**.

Any party who appears pro se and any counsel of record, as applicable, may, within ten (10) days from the date of this Order, file with the Clerk of the Court an original and two (2) copies of the written objections identifying the portions of the Order to which objection is made, and the basis

for such objection. Failure to timely file objections to the Order set forth above will result in waiver of the right to appeal from a judgment of this Court based upon such Order.

The Clerk of the Court is directed to provide a copy of this Order to parties who appear pro se and all counsel of record, as applicable, as provided in the Administrative Procedures for Electronic Case Filing in the United States District Court for the Northern District of West Virginia.

DATED: October 16, 2007

/s/ James E. Seibert
JAMES E. SEIBERT
UNITED STATES MAGISTRATE JUDGE